



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

PM82/0828

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/518,983	03/03/00	009	STRIMBU, G	3634 08/28/01
First Named Applicant	JEAN,	35 USC 154(b) term ext. =	O Days.	

TITLE OF INVENTION HALF CIRCLE SHUTTER WITH SPRING BIASED SLATS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
2 991207	049-074.100	L26	UTILITY	YES	\$620.00	11/28/01

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or

- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

<b>Notice of Allowability</b>	Application No. <b>09/518,983</b>	Applicant(s) <b>R. Jean</b>
	Examiner <b>Gregory J. Strimbu</b>	Art Unit <b>3634</b>

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment of 8/9/01 and the tele. int. of 8/22/01.
2.  The allowed claim(s) is/are 1 and 5-12.
3.  The drawings filed on 8/6/01 are acceptable as formal drawings.
4.  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_.
5.  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).**

6.  Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7.  Applicant MUST submit NEW FORMAL DRAWINGS
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed Jan 23, 2001, which has been approved by the examiner.
  - (c)  including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8.  Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

#### Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____	<input checked="" type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input type="checkbox"/> Examiner's Statement of Reasons for Allowance
<input type="checkbox"/> Other	



Art Unit: 3634

***Examiner's Amendment***

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on August 22, 2001, Rudolf O. Siegesmund requested an extension of time for 2 MONTH(S) and authorized the Commissioner to charge his credit card the required fee of \$140 (195-55) for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

**In the title:**

changed the title to --HALF CIRCLE SHUTTER WITH SPRING BIASED SLATS--

**In the specification:**

in the amendment to first paragraph of page 10, submitted August 6, 2001,

✓ line 2, deleted "(not shown)"

✓ line 8, changed "alternate shutter element" to -the split baseboard alternative

embodiment--

(8)

Art Unit: 3634

page 6,

~~line 5, inserted -~~ Fig. 10 shows a split baseboard alternative embodiment-

~~line 10, changed "base" to --top--~~

~~line 11, changed "base" to --top--~~

~~line 19, changed "Top" to --top--~~

page 7,

~~Line 16, changed the second occurrence of "Fig." to --Figs.--~~

~~line 17, changed "Fig." to --Figs.--~~

~~line 18, changed "top" to --front--~~

~~line 19, changed "first edge 32" to --second ridge 37--~~

page 8,

~~line 1, changed "dovetail" to --engages one another--~~

~~line 8, changed "37" to --39--~~

~~line 15, changed "37" to --39--~~

page 9,

~~line 1, changed the first occurrence of "16" to --18--~~

~~line 3, changed "34" to --38--~~

Art Unit: 3634

In the claims:

claim 9,

~~Line 16, deleted "each of"~~

claim 11,

~~Line 2, changed "or" to --and--~~

claim 12,

~~Line 1, changed "made from folded" to --comprising angled-- and inserted --brackets--~~

following "metal"

*Drawings*

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Figure 1: show the top of the baseboard 16 as shown in figure 2

Figure 3: change "12" to --16--

Figure 4: delete reference character 44 and its attendant lead line

Figure 7: delete the arrowhead at the end of the lead line for reference character 32

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Art Unit: 3634

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a shutter comprising an arched base slat support affixed to a baseboard and a stiffener disposed within the base slat support between opposing ends of the base slat support. See lines 3 and 11 of claim 1. The prior art of record also fails to teach a shutter comprising an arched base slat support and a stiffener fixedly engaged to the first baseboard section, the second baseboard section and the base slat support wherein the stiffener is disposed between opposing ends of the base slat support. See claim 9, lines 5 and 13-15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is (703) 305-3979. The examiner can normally be reached on Monday through Friday from 8:00 A.M. to 4:30 P.M. The fax phone number for this Group is (703) 305-3597. Any inquiry of a general nature or relating

Art Unit: 3634

to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.



Gregory J. Stribu  
Primary Examiner  
Art Unit 3634